

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
06-CV-2237(JMR/FLN)

Matthew T. Zilhaver et al.        )  
  )  
                  v.                                )                ORDER  
  )  
UnitedHealth Group Inc.        )  
et al.    )

This matter is before the Court on defendants' motions (1) to dismiss the claims of plaintiff Matthew T. Zilhaver for lack of subject matter jurisdiction; (2) to dismiss the claims against defendants Stephen J. Hemsley, James A. Johnson, William W. McGuire, William G. Spears, and Mary O. Munding for failure to state a claim upon which relief may be granted; and (3) for summary judgment on the claims of plaintiff Sasha Linn. The motions were heard by the Court on January 8, 2008.

Based on the files, records, and proceedings herein, defendants' motions to dismiss and for summary judgment [Docket Nos. 67 and 70] are denied.

IT IS SO ORDERED.

Dated: March 31st, 2008

                  s/ James M. Rosenbaum                    
JAMES M. ROSENBAUM  
United States Chief District Judge